

## II. Remarks

Claims 3, 5-6, 8-9 and 11-14 were pending in this application. The present amendment adds new claims 15-17 and amends claims 3, 6, and 9 to more particularly point out and clarify Applicants' invention. No new matter has been added by the present amendment. After this amendment, claims 3, 5-6, 8-9 and 11-17 will be pending.

Reconsideration of the application in view of the amendments and the following remarks is respectfully requested.

### Objections

Claim 6 was objected to because of the following informality: In claim 6, the word "beings" should be replaced with "begins." Claim 6 has been amended to recite that the secondary chamber begins to substantially expand and develop. Accordingly, Applicants believe that the amendment has cured the objection of claim 6.

### Rejections under 35 U.S.C. § 112

Claims 9, 10 and 14 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention.

Claim 9 has been amended to recite "a forward and backward direction" of the vehicle. This amendment was in response to an objection that claim 9 recites "the forward and backward direction" which lacks antecedent basis. Claims 10 and 14

depend from Claim 9. Accordingly, Applicants believe that the amendment has cured the 35 U.S.C. § 112, second paragraph, rejection of claims 9, 10 and 14.

Rejections under 35 U.S.C. § 102

Claims 3, 5, 6, 8, 9 and 11-14 were rejected under 35 U.S.C. § 102b as being anticipated by U.S. Patent No. 6,010,149 issued to Ridel ("Ridel"). Applicants respectfully submit that the rejection of claims 3, 5, 6, 8, 9 and 11-14 are traversed.

Independent claims 3, 6, and 9 have been amended to recite at least one primary chamber define an aperture that provides fluid communication between the primary chamber and the gas generator. The primary chamber is expandable by gas supplied by the gas generator. The aperture of the primary chamber and the opening of the secondary chamber are sized such that the aperture is substantially larger than the opening so that the secondary chamber begins to substantially expand and develop after the primary chamber is approximately fully expanded and developed. Relative to when the gas is generated by the gas generator, high pressure is applied initially to the primary chamber, whereas the secondary chamber gradually increases in pressure to be about the same as pressure of the primary chamber. Support for these amendments may be found in paragraphs [0043] through [0048] and Figures 1-4.

Ridel recites a side-curtain airbag comprising an inflatable element which includes two super-imposed layers of fabric which are connected by threads to define a linear, substantially horizontally extending gas duct 1, to which a gas generator is connected. A plurality of parallel cylinder cells 2 defines the curtain. The cells 2 extend

transverse to the lower edge of the inflatable element. The inflatable element also comprises an integrally formed fixation strap 3 which extends from a lower region of a part of the airbag and includes a plurality of serially connected pockets 4 leading off from the lower part of one of the cells 2. *Ridel* at col. 3, lines 24-31. In one embodiment illustrated in Figure 9, the side-curtain airbag includes two fixation straps 3 disposed at opposed ends of a side-curtain airbag. To ensure that the lower edge of the inflatable element is sufficiently rigid, the serially connected pockets 4 are in gas communication with one another and the inflatable cells 2. When the inflatable element is inflated, not only do the cells 2 inflate but so do the pockets 4 in the inflation strap 3. As the pockets 4 inflate, the opposed side walls of each pocket 4 bulge outwardly and the effective length of the fixation strap 3 is shortened to take up the slack in the fixation strap 3 so that the lower edge of the inflatable element is sufficiently rigid to prevent the inflatable element from being pushed out through a broken window during an accident. *Id.* at col. 4, lines 32-43. Thus, both the cells 2 and the pockets 4 inflate concurrently to form the inflated protective side-curtain airbag. Notably, the aperture/s (Figure 9 shows two apertures) providing fluid communication between the gas duct 1 and a respective cell 2 are not disclosed, illustrated or otherwise indicated as being substantially larger than the opening providing fluid communication between the cell 2 and the fixation strap 3.

This is unlike Applicants' invention as recited in independent claims 3, 6, and 9, where the primary chamber define an aperture that is substantially larger than the opening of the secondary chamber. This size difference between the aperture and the opening is such that the secondary chamber begins to substantially expand and

develop after the primary chamber is approximately fully expanded and developed. Moreover, relative to when the gas is generated, the sizes of the aperture and the opening are such that high pressure is applied initially to the primary chamber, whereas the secondary chamber gradually increases in pressure to be about the same as the pressure of the primary chamber.

Specifically, Applicants' invention is concerned with varying the size of the opening A of the secondary chamber, which is substantially smaller than the aperture B of the primary chamber, so as to both delay and gradually expand the development of the secondary chamber relative to the practically immediate expansion and development of the primary chamber. Applicants' Detailed Description at paragraph [0039]. By configuring the side-curtain airbag in such a manner, the primary chamber is approximately fully inflated and developed first and then, the secondary chamber begins to gradually expand and develop. This preferably allows the side-curtain airbag to initially have primary chambers with relatively low force for protecting the head of an occupant and then, subsequently, additional tension develops across the entire airbag in a forward and backward direction. In this way, the airbag has a high tension that protects the occupants at a later stage of the collision or at a time of the final turnover of the vehicle. *Id.* at paragraphs [0043] and [0044]. In that Ridel lacks the noted elements of claims 3, 6, and 9, Applicants respectfully submit that the rejection based thereon should be withdrawn. Accordingly, Applicants believe independent claims 3, 6, and 9 and their dependent claims 5, 8 and 11-14 are in a condition for allowance.

Claims 15-17 have been added by the present amendment and are respectively dependent on amended claims 3, 6 and 9. All of the elements of claims 15-17 are

supported in the specification and drawings (see Figure 4) and there is no new matter. Moreover, Applicants believe these claims are patentable for the reasons discussed in the foregoing paragraphs as well as for their own specific elements recited therein.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

Respectfully submitted,

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Date

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